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5 Attorney for Defendant
ARMANDO ORNELAS

6 IN THE UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA
8 OAKLAND DIVISION

9 THE UNITED STATES OF AMERICA,) CASE NO. CR-10-00917-1-SBA
10 Plaintiffs,)
11 vs.)
12 ARMANDO ORNELAS)
13 Defendant.)
14 _____

**STIPULATION AND ORDER RE
CONTINUANCE OF
PLEA AND SENTENCE HEARING**

14 Armando Ornelas, by and through his counsel, Jesse Garcia, and the United States
15 Government, by and through its counsel, Joseph Patrick Audal, Assistant United States Attorney,
16 jointly stipulate and respectfully request the Court to reset the sentencing hearing presently set for
17 September 30, 2011, be re-scheduled for October 26, 2011, at 10:00 a.m. should be excluded in
18 accordance with the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for adequate
19 preparation of defense counsel and continuity of counsel, taking into account due diligence.
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21 DATED: September 16, 2011

22 Respectfully submitted,
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/s/ JESSE GARCIA
23 Attorney for Defendant
24 ARMANDO ORNELAS

25 DATED: September 16, 2011

/s/ JOSEPH AUDAL
26 JOSEPH AUDAL
27 Authorized to sign for JOSEPH AUDAL
28 Assistant United States Attorney
on September 16, 2011

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ORDER

IT IS HEREBY ORDERED that the change of plea and sentencing in this case, currently scheduled on September 30, 2011 at 10:00 a.m., be continued to October 26, 2011 at 10:00 a.m.

IT IS FURTHER ORDERED that the time from the date of this Order to October 26, 2011, should be excluded under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective preparation of counsel and continuity of counsel. The Court finds that the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy and public trial, and the failure to grant the requested continuance would unreasonably deny counsel the reasonable time necessary for effective preparation and continuity of counsel, taking into account due diligence.

IT IS SO ORDERED.

DATED: 9/19/11


HON. SAUNDRA B. ARMSTRONG
United States District Judge